

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JAMES E. DAVIS, INDIVIDUALLY AND
FRANCOIS KOHLMAN, INDIVIDUALLY AND
ON BEHALF OF ALL OTHERS SIMILARLY
SITUATED

PLAINTIFF

VS.

CAUSE NO. 3:11-CV-093-MPM-SAA

ACA FINANCIAL GUARANTY
CORPORATION, and
JOHN DOES One through Ten

DEFENDANTS

**JOINT MOTION FOR EXTENSION OF TIME
TO COMPLETE BRIEFING ON THE PENDING MOTION TO CERTIFY CLASS**

Pursuant to the Federal Rules of Civil Procedure, Defendant ACA Financial Guaranty Corporation (“ACA”) and Plaintiffs jointly move this Court for an extension of time to complete the briefing on Plaintiffs’ Motion to Certify Class. In support, the parties show as follows:

1. On April 25, 2012, Plaintiffs filed a Motion to Certify Class and Memorandum of Law In Support Thereof (the “Motion to Certify Class”).
2. The time for ACA to respond to that Motion to Certify Class has not yet passed.
3. The parties both have significant obligations in May, which would make completion of the briefing within the current deadlines difficult. Accordingly, the parties agree to an extension of the current briefing deadlines related to the Motion to Certify Class.
4. Accordingly, the parties respectfully request that the Court enter an Order granting an extension of time until and through May 25, 2012 for ACA to respond to Plaintiffs’ Motion to Certify Class and an extension of time until and through June 15, 2012 for Plaintiffs to file their rebuttal brief in support of their Motion to Certify Class.
5. This Motion is sought in the interest of justice and not for purposes of delay.

WHEREFORE, the parties jointly request that the Court extend the briefing schedule be extended through and until May 25, 2012 for ACA's response and through and until June 15, 2012 for Plaintiffs' rebuttal brief.

RESPECTFULLY SUBMITTED, this 9th day of May, 2012.

/s/ Mason E. Lowe
W. Wayne Drinkwater (MBN 6193)
Mason E. Lowe (MBN 102393)
BRADLEY ARANT BOULT CUMMINGS LLP
Suite 400, One Jackson Place
188 East Capitol Street
Post Office Box 1789
Jackson, MS 39215-1789
Telephone: (601) 948-8000
Facsimile: (601) 948-3000

ATTORNEYS FOR DEFENDANT

/s/ Jesse Mitchell, III
Jesse Mitchell, III (MBN 102020)
O. Stephen Montagnet (MBN 10049)
William M. Quinn (MBN 10834)
McCraney Montagnet & Quinn, PLLC
602 Steed Road, Suite 200
Ridgeland, MS 39157
Telephone: (601) 707-5725
Facsimile: (601) 510-2939

ATTORNEYS FOR Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Mason E. Lowe
